

REMARKS

Claims 1-7, 9-21 and 23-28 are pending in the application.

Claims 1-7, 9-21 and 23-28 have been rejected.

Claims 1 and 15 have been amended as set forth herein.

Claims 1-7, 9-21 and 23-28 remain pending in this application.

Reconsideration of the claims is respectfully requested.

I. CLAIM REJECTIONS -- 35 U.S.C. §103

Claims 1-3, 6, 7, 9, 10, 13-17, 20, 21, 23, 24, 27 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,094,715 to *Wilkinson, et al.* (hereinafter “Wilkinson”) in view of U.S. Patent No. 4,435,758 to *Lorie et al.* (hereinafter “Lorie”). Claims 4, 5, 18 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wilkinson in view of Lorie and further in view of U.S. Patent No. 6,470,441 to *Pechanek, et al.* (hereinafter “Pechanek”). Claims 11, 12, 25 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wilkinson in view of Lori and further in view of “Mulit-thread VLIW processor architecture for HDTV decoding” to *Kim* (hereinafter “Kim”). The Applicant respectfully traverses the rejections.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-133 (8th ed. rev. 4, October 2005). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.* To establish a *prima facie* case of obviousness, three basic criteria must be met: *Id.* First, there must be some suggestion or motivation, either in the references themselves or in

the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *Id.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

Amended independent Claim 1 recites a job buffer that dynamically bundles jobs into a task based on an equivalence of a job status of the jobs, where the job status includes a program counter value and a loop-counter list. The amendment is supported in the Specification at least in page 48, line 14, through page 50, line 18, and Figure 15. The Applicant respectfully submits that the cited references do not describe such a job buffer.

In rejecting Claim 1, the Examiner acknowledged that Wilkinson does not describe a job buffer that dynamically bundles jobs into a task based upon a control flow equivalence of the jobs, but asserted that Lorie describes such a job buffer. The Examiner cited column 8, line 36, through column 9, line 5, which is a description of Figure 4. In the figure and cited passage, Lorie describes a processor array 81 that includes a plurality of processors coupled to instruction pointer registers 159, priority registers 153, activity bit registers 155, and condition bit registers 157. However, nowhere in the cited passage from Lorie, or indeed in any other part of Lorie or Wilkinson, does the Applicant find a job buffer that dynamically bundles a plurality of jobs into a task based on an equivalence of a job status of the jobs, where the job status comprises a program counter value and a loop-counter list, as recited in amended independent Claim 1.

For at least these reasons, Wilkinson and Lorie, alone or in combination, fail to teach or suggest all the limitations of amended independent Claim 1, and the Applicant respectfully submits that Pechanek and Kim do nothing to overcome the shortcomings of Wilkinson and Lorie. Therefore amended independent Claim 1 is patentable over the cited references, alone or in any combination. Amended independent Claim 15 recites limitations analogous to the novel and non-obvious limitations emphasized in traversing the rejection of Claim 1. Therefore, Claim 15 also is patentable over the cited references. Claims 2-7 and 9-14 depend from Claim 1 and include all the limitations of Claim 1. Claims 16-21 and 23-28 depend from Claim 15 and include all the limitations of Claim 15. As such, Claims 2-7, 9-14, 16-21, and 23-28 also are patentable over the cited references.

Accordingly, the Applicant respectfully requests that the Examiner withdraw the §103 rejection with respect to Claims 1-7, 9-21 and 23-28.

CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining claims in the Application are in condition for allowance, and respectfully requests an early allowance of such claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application. The Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at wmunck@munckcarter.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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